

**BOROUGH OF DUMONT
BERGEN COUNTY, N.J.
EXECUTIVE MEETING MINUTES
DECEMBER 20, 2011
6:30 PM**

Mayor McHale called the meeting to order at 6:30PM

Flag Salute; Silent Prayer

Sunshine Law: The notice requirements of the Open Public Meetings Act of the State of New Jersey have been satisfied by the inclusion of the date, time and place of this regular meeting in the annual schedule and notice of regular meetings of this Governing Body. Such annual schedule and notice of regular meetings is posted at Borough Hall, was sent to ***The Record*** and the ***Press Journal***, posted on the Borough website and filed with the Borough of Dumont.

Roll Call:

Council members Carrick, Caspare, Freeman, Manna, Stylianou, Zamechansky (arrived at 7:06PM)-present

Mayor McHale-present

Motion to open to the public: Councilman Stylianou

Second: Councilman Freeman

All in favor.

Motion to close: Councilman Carrick

Second: Councilman Freeman

All in favor.

Administrator Perkins' Report

There was a meeting today with FEMA. They will not reimburse for snow removal or snow plowing. We should get reimbursed 75% of all cleanups for trees, etc.

The Borough have an abundance of wood chips, which will be used at the parks but the balance will be sent to a power plant in Pennsylvania so there will be no cost to the borough to dispose of them.

Mr. Perkins had a meeting with the Bergen County Improvement Authority for the refinancing of the 2003 early retirement investment program. By refinancing and getting approval of the Local Finance Board, between now and 2023 the Borough will realize a savings of \$72,387.81 in principal and interest.

Attorney's Report

Mr. Paster closed the sale on the property at the corner of Washington and New Milford Avenues to the dentist's office in the amount of \$25,000.

They also are wrapping up one of the properties across the street where a driveway was deeded over in exchange for their road widening easement. This saved the Borough approximately \$4,300 in property acquisition costs.

The DPW Investigatory Remediation report has been distributed for the Council's review. There is a summary included. It appears from the data, that the Borough at that time

years ago felt that remediation became more expensive than the administration wished so the action stopped.

Additional easement work is required for the NJEIT Phase II project.

The Mayor asked about the status of the Winant, Eckel, Licameli suit. Mr. Paster responded that Counsel was assigned to represent the Borough and each of the individuals in their official capacities as well as Counsel for their individual capacities. If and when the complaint is served, they will be ready. It is usual that a summons be issued within ten days.

Mayor-elect Kelly asked why money would be encumbered to protect the Mayor and Council if they haven't been served with a lawsuit yet. Councilman Stylianou responded that they have notice of the litigation as a result of the comments made by attorney Galantucci approximately two weeks ago. The lawsuit doesn't have to be served in order for you to be sued. They are named defendants in a lawsuit and have every right, according to the ordinance, to be defended the moment the papers are filed with the court.

Mayor McHale explained that Chapter 25 of the Borough Ordinances, which was adopted in 2001 indemnifying the Governing Body in terms of any suits against them.

Review for Public Meeting:

ORDINANCES

Second Reading

#1436 Bond Ordinance-Roosevelt Avenue Flood Control - \$120,000

#1437 Amendment to Chapter 455-Zoning of the Dumont Code

#1438 Bond Ordinance-Twin Boro Field Remediation and Reconstruction Project-\$1,200,000

Councilman Freeman wanted to be assured that any unexpended funds for this project could be cancelled, which the CFO confirmed.

RESOLUTIONS

Consent Agenda

#11-239 Bills List

#11-240 Approval of Frontier Room Request for Live Entertainment January 21, 2011

#11-241 Approval of John P. Perkins as Acting Qualified Purchasing Agent

#11-242 Award of Bid-Twin Boro Field Remediation and Construction Project to T&S

Builders - \$1,134,682 Councilman Freeman requested it be moved to non-consent.

#11-243 Approval of Limousine License for Filbert Valcourt-279 New Milford Avenue

#11-246 Approval of Transfer of Budget Appropriations *

Non-consent Agenda

#11-244 Award of Bid-NJEIT Phase II Flood Control Project to Tomco Construction

\$2,370,868.57 Plus Alternates as Determined by the Governing Body

#11-245 NJEIT Flood Control Program Phase II-Approval of Request for Contract Amendment for Additional Construction Administration/Easement Services-not to exceed \$89,500

Motion to table: Councilman Carrick

Second: Councilman Stylianou

Roll call vote: Councilmembers Carrick, Caspare, Stylianou

Councilman Manna-no

Councilmembers Freeman and Zamechansky-abstained

Resolution tabled and will be discussed in the future.

Councilman Freeman confirmed with the Borough Engineer that the \$50,000 portion of the above amount is for an extra 110 days beyond the initial estimate. Councilman Carrick stated rather than have a resident to oversee the resident issues, he would prefer T&M handle it.

Councilman Freeman inquired about the process to become a Qualified Purchasing Agent and confirmed that the Borough's bid threshold would now increase from \$17,500 to \$26,000.

Mayor McHale asked about several items on the bills list.

Motion: Councilman Carrick

Second: Councilman Freeman

Roll call vote: Council members Carrick, Freeman, Manna, Zamechansky-yes

Motion to adjourn: Councilman Stylianou

Second: Councilman Freeman

All in favor.

Minutes respectfully submitted by:

Susan Connelly, RMC

Municipal Clerk